



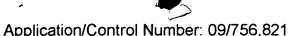
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FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. APPLICATION NO. CONFIRMATION NO. 09/756,821 01/09/2001 Kevin A. McCullough P00405-US1 6144 3017 02/25/2004 **EXAMINER** 7590 BARLOW, JOSEPHS & HOLMES, LTD. ROSENBAUM, IRENE CUDA **101 DYER STREET** ART UNIT PAPER NUMBER 5TH FLOOR PROVIDENCE, RI 02903 3726 DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		#
	Application No.	Applicant(s)
Office Action Summary	09/756,821	MCCULLOUGH, KEYIN A
	Examiner	Art Unit
	Irene Cuda-Rosenbaum	3726
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).		
Status		
 Responsive to communication(s) filed on 19 D This action is FINAL. Since this application is in condition for alloware closed in accordance with the practice under E 	s action is non-final. nce except for formal matters, pro	
Disposition of Claims		
4) ☐ Claim(s) 1,2,7 and 8 is/are pending in the apple 4a) Of the above claim(s) is/are withdray 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) 1-2 and 7-8 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	wn from consideration.	
Application Papers		
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Examine	epted or b) objected to by the drawing(s) be held in abeyance. Se tion is required if the drawing(s) is ob	e 37 CFR 1.85(a). njected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list	es have been received. Is have been received in Applicate Inity documents have been receive Inity (PCT Rule 17.2(a)).	ion No ed in this National Stage
Attachment(s)	_	
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	



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DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mashiko et al.

Mashiko et al teach a method of making a heat sind including the step of mounting separate fins to the base. By applicant's description of how this occurs in his invention, in the specification on page 4, lines 25 – page 5, line2, and again at page 7, lines 5-9, the fins of applicants invention are insert molded to the base, which is precisely what Mashiko does (see claims 1-6). The fins of Mashiko et al are provided on the surface of the base plat as the base plate is molded, and therefore the order of Mashiko et al's steps does not include mounting the fins after the base plate is formed. However, When the fins are mounted to the base plate is considered an obvious matter of design choice absent any showing of a new or unusual result and applicant has never, in the specification or arguments given any reason that the timing is critical. Applicant merely argues that they are separate pieces, which they are in Mashiko et al.

Furthermore, applicant specifically states in the specification, on page 7, lines 5-7, "Preferably, an array of heat dissipating pins 20 are also formed as emanating form or embedded within the base plate 18, such as by insert molding."



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THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irene Cuda-Rosenbaum whose telephone number is 703-308-1792. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 308-1148. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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